

Previous references

805.

(Municipal)

File No 322-05

Serial Nos. 5-6

Later references.

Jul 188-1888 P. 13 Aug 1916

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

5 & 6

Part B. for

June 1906

SUBJECT

Levy of Scavenging Cess in the
Nasrabad & Channaray Mohallas,
Mysore City

FILE No. 322 of 1905-06.

Levy of scavenging cess in the Nasrabad and Channaray Mohallas of the Mysore City

- | | |
|---|---|
| 5 | From the Chairman Trust Board, Mysore No 406, dated 10th April 1906
Submits for orders a copy of the Trust Board's Resolution opening that the re-transfer of the conservancy establishment to the Trust Board ordered in Government Order of the 1st March 1906 is undesirable as the officers of the Board are fully occupied with their legitimate duties and cannot attend to the conservancy |
| 6 | To the President, Mysore City Municipality, the Chairman Mysore City Improvement Trust Board, and the Comptroller, No 12550-2, dated 9th June 1906
Directs that, in supersession of previous orders, the control of the conservancy establishment in the areas under the operation of the Mysore City Improvement Trust Board be exercised by the Municipality as before and that the levy of the scavenging cess in the Nasrabad Mohalla be also undertaken by the Mysore City Municipal Commission |

GENERAL AND REVENUE SECRETARIAT

(Municipal)

NOTES

322
File No 322-05~

FILE HEADING

*Levy of Scavenging cess in the naz arabad and Chamaraj
of the Mysore city*

From

*The Chairman of the Mysore city Improvement
Trust Board*
No 406 Dated 10 4 06 Received 14 4 06

Diary No 7963 }

Enclos 1

Specie Copy }

Serial No 5

BRIEF ABSTRACT OF FACTS

for orders with reference to G.O. No. 8909-11 of 28 2 06 a copy
the resolution of the Trust Board to the effect that the retransfer
Conservancy establishment to the Control of the Trust Board is un-
able as the officers of the Board are fully occupied with their legitimate
& that as to levy of Scavenging cess by the Trust Board they are not aware
provision of law enabling them to levy the cess

NOTES AND ORDERS

*1 On the motion of the Mysore city Municipal**Commissioner gave in their order no 8114-16 of
15 3 05 Sanctioned the transfer of the Conservancy**establishment working in the areas under the
operation of the Trust Board, to the Control of*

Serial
No

the Trust Board the establishment
thus transferred to the Trust Board
was ^{temporarily} retransferred to the Control of
the Municipal Commissioner and was
considered necessary that the entire
Conservancy Staff of the Municipality
should remain in charge of a single
authority during the Visit of H R H
the Prince of Wales to the year (vide
G.O. no 4327-9 of 26 10 05)
rel 220-05-2

G.O. in their order no 3733-5 of 19 10 05
rel 2480-06-4
having sanctioned the levy of Conservancy
cess in the Chamaraj & Nagarabad
Kishallas ~~pay~~ by the Municipality
and the Trust Board respectively
the Commissioner solicited orders directing
that the levy of the cess in the
Nagarabad Kishalla also ^{might} ~~may~~ be
~~directed to~~ undertaken by the Municipality
as the Conservancy Staff
working under the Trust Board had been
retransferred to the Municipality as
per G.O. order ~~no~~ of 26 10 05. The
Royal Visit which necessitated this
order of the 26th October '05 having
been over, G.O. directed that the
temporary retransfer ordered in Proceedings

File No 322 of 1905-06

Serial
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of 26th 10 05 shall cease to have
effect from the 1st March '06 and
that the levy of the scavenging cess
in the Nazarabad Moshalla shall
be undertaken by the Trust Board
the Conservancy establishment of this
Moshalla reverting to the Control
of the Trust Board vide G.O. No

8909-11⁺
No 322-054 of 1 3 06

2 It is with reference to this order
that the present communication has
been made. The Board (Trust Board)
have now resolved that the retransfer
of the Conservancy establishment is
undesirable as the officers of the
Trust Board are fully occupied with
their legitimate duties & cannot attend
to the Conservancy. If this resolution
is approved by Govt the Conservancy
Staff of the Nazarabad, ~~now~~ Mander
and Lashkan Moshallas now under
the operation of the Trust Board, remain
under the Control of the Municipality
as before. As to the propriety of the Staff
remaining in charge of the Municipality
it may be noted that the Govt have
recognised ^{the principle} that the Municipal Commn

Serial
No

Should not be divested of its legitimate
function except to the extent necessary
to enable the Trust Board to carry out
their Scheme of Improvement. (Vide
para 2 of office note to me of 10.8.05)
3 The Trust Board in their resolution
further state that they are not
aware of any provision of law
authorising the levy of the Scavenging
cess so to this it may be observed that
Section 26 of Regn III of 1903 declares
that such sums as may be placed
by Govt at the disposal of the Board
from time to time shall be credited
to the "Cdy of Hygiene Improvement Fund"
the fact that the levy of the cess in the
Muzarabad is sanctioned by the Trust
Board has been sanctioned by Govt
in their order of the 1st March '06 —
may be considered
sanctioned as an authority for the Board
to impose the cess & credit the receipts
to the Trust Board under Section 26
quoted above. Beyond this there appears to be
no provision in Regn III of 1903 enabling the Board to
collect the cess. It may also be added here that
it was on the Chairman's reference that
the levy of Scavenging cess in the Muzarabad
is sanctioned by Govt.

in doubt.
It will have to
be decided by the Muni-
cipal Board and the
Trust Board, &
the latter will have
to collect the cess.

Serial
No

The question of retransfer of the Conservancy established to the Trust Board of the area only for that Board to levy the scavenging cess are the two points for consideration

1. Submitted for orders with a copy of the Trust Board Res. III of 1903
28/4/06

On the question of the retention of the Conservancy Cess by the Municipality, there seems to be no objection, but the Trust Board are evidently unaware of the provisions of Section 109 of the Municipal Regulation under which they can levy the cess on behalf of the Municipality.

11/5/06 Sub for orders.

5. For a draft 30/4/06
1.5.1906

6 Draft as per instructions of the Secretary is submitted for approval

28/5/06

23

7/6/06

Draft submitted to the Secretary

28/11/06
710
Don't want

28/11/06

The function
cannot be
delegated

23/11/06

Serial
No

Subd thro the 2nd Commissioner
8.5.1906

The draft may be approved
The Wharfedale

6
12.5.1906

637 5 6 9 Appd by D. W. G.
14 30.5.06

10 Apr
31.5.1906

15th Apr

6 11 To the President of the Mysore city
Municipal Council, the Chairman of the
Mysore city Improvement Trust Board
and the Corporation. No 12550-2 of 7.6.06

Directs in supersession of previous
orders on the subject that the control
of the Conservancy establishment in the
areas under the operation of the Trust
Board vests in the Municipality aforesaid
and that the levy of the scavenging cess
in the Nazarebad mohalla also be
undertaken by the Municipality

11/11/11
11/11/11
11/11/11

1906

From

The Chairman,
Mysore City Improvement
Trust Board

To

The Secretary to the Government
of H H the Maharaja of Mysore
General & Revenue Department

Dated 10th April 1906

Despatched 11th

General No 206

Enclosure No 1

Subject

Submitting for information a copy of the Board's resolution dated 28th March 1906 regarding the revision of the Census returns established in the District

ml 322-05 27963
82.5

No. 406
En. 1

OFFICE OF THE CHAIRMAN OF THE BOARD OF TRUSTEES,
FOR THE IMPROVEMENTS OF THE CITY OF MYSORE

Mysore, Dated, 10th April 1906.....190

FROM

D. Sitarama Rao Esq.,
Chairman of the Board of Trustees,
Mysore City Improvements

TO

B. K. Venkataswarada Iyengar Esq.,
Secretary to the Govt of H H the Maharaja
of Mysore, General & Revenue Departments.

SIR,

L

With reference to Govt. Pro. No. 8909-11-ML(322-05)-4 of the 28th February 1906 ordering the reversion of the Conservancy Establishment in the areas under the operation of the Trust Board to the control of the Trust Board:-

I have the honor to submit for information and orders a copy of the Trust Board's resolution No. III of the 28th Ultime on the subject.

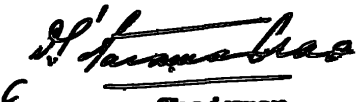
I have the honor to be,

Sir,

Your most obedient servant,

B, R.

24


Chairman.

Mysore City Improvement Trust Board

2

Extract from the proceedings of an ordinary meeting of the Board of Trustees for the Improvements of the City of Mysore, held at the Chairman's office on Wednesday the 28th of March 1906.

Subject

Resolution

X

X

Govt. Pro. No. 8909-11ML322-05-4
28-2-1906 ordering the reversion
1-3-06 of the Conservancy Estab-
lishment in the areas under the op-
eration of the Trust Board to the
control of the Trust Board.

Resolved that the Chairman be
requested to intimate to Govt. that,
in the opinion of the Board, the re-
-transfer of the Conservancy Estab-
lishment is undesirable, as the
officers of the Board are fully oc-
-cupied with their legitimate duties
and cannot attend to the Conservancy.
With reference to the question of
imposing scavenging cess, the Board,
is not aware of any provision of the
law enabling it to impose such a cess

(Signed) D Sitarama Rao, Chairman

"Copy"



Chairman

B.R.

RS 28]

876 d

File No 322-05

Serial No 6

Diary No of letter replied to 7963

Proceedings of the Government of His Highness
the Maharaja of Mysore

GENERAL AND REVENUE
SECRETARIAT
()

READ —

, the

190

Date of issue

7-6-06

Signed by

[Signature] # 11

Recd 3/
and of 1-3-06

Letter no 406 dated
the 10th April '06 from the Chair-
man of the Board of Trustees
for the Improvement of the City
of Mysore Submitting, with
reference to Govt Proceedings

~~ORDERED~~ *18-7-06*

no 8907-11 dated the ~~10th~~
the 32205-6
~~Instruction~~ ordering the reversal
of the Conservancy establishment
in the areas under the operation
of the Trust Board to the Control
of the Trust Board, a copy of
the resolution of the Trust Board

111

SUBJECT

Directs that the ^{Control of the} Conservancy establishⁿt in the
areas under the operation of the Trust Board work in the
Municipality as before and that the ⁿ of the same sup-
cess in the Nagarabad shall be undertaken by the
Mysore City Municipality

dated the 28th March '06 to the effect that the retransfer of the Concomancy establishment to the Control of the Trust Board is undesirable as the officers of the Board are fully occupied with their legitimate duties and cannot attend to the ^{Supervision of} Concomancy arrangements & that ~~with reference to the question~~ of imposing a scavenging cess the Board is not aware of any provision of law enabling them to impose ~~such a cess~~ a scavenging cess.

Order thereon $\frac{12550-2}{\text{ml (322-05)-6}}$ 27-6-06.

In Enforcement of the ~~great~~ orders noted in the margin, Govt are pleased to direct that the Control of the Concomancy establishment in the areas under the operation of the Municipal ~~the~~ improvement Trust Board ~~continue to be~~ ~~under the~~ Control be exercised ^{as before} by the Municipality and that the levy of the scavenging

1902. 3733-5 2/19 WED
ml 480-06-4
2
8909-11 1/19
ml 322-05-6 1/19

G R S. 27]

GENERAL AND REVENUE
SECRETARIAT

(Continuation Sheet draft form.)

cess in the ~~hazrat~~
~~inohalla~~ ^{also} be undertaken
by the Mysore city Municipal
Commissioner.

6/5/16

7/5/16.
Secretary
29/4/16

To the President of the
Mysore city Municipal Council
The Chairman of the
Mysore city Improvement
Trust Board
The ~~Commissioner~~ Commissioner

W. M. M. S.

3/5/16
HP 4/6